

REMARKS

This amendment is responsive to the Office Action dated December 8, 2009. After its entry, claims 1-9, 16-22, and 24-33 are pending in this application and subject to examination. Claim 15 is cancelled. Claims 1-9, 16-22, and 24-33 are amended. No new matter is added.

Reconsideration of the application as amended is respectfully requested in view of the following remarks.

Objection to Claim 15

Claim 15 stands objected to as being in improper dependent form. However, since claim 15 is cancelled, this objection is moot.

Objection to Claims 1-9, 15-18, 20, 21, 24-26, and 28-33

Claims 1-9, 15-18, 20, 21, 24-26, and 28-33 stand objected to due to certain informalities in the wording of the preambles of the claims. Applicants have amended the preambles of all of these claims and submit that these amendments obviate this objection. As such, Applicants respectfully request its withdrawal.

Rejection Under 35 U.S.C. § 112, Second Paragraph

Claim 19 is rejected as indefinite on the ground that it refers to formulae (1) and (2), which do not appear in the claim, and substituents R¹ and R², which do not appear in the structures of formulae (3) and (4). Applicants have amended claim 19 to delete any reference to formulae (1) and (2) and substituents R¹ and R² and submit that this amendment obviates this objection. As such, Applicants respectfully request its withdrawal.

Rejection Under 35 U.S.C. § 102(e)

Claims 1-9, 16, 18-22, and 24-33 stand rejected as anticipated by U.S. Patent App. Pub. No. 2004/0054152 A1 to Meerholz et al. (Meerholz). Applicants respectfully traverse.

The Examiner takes the position that Meerholz teaches all of the limitations of claims 1-9, 16, 18-22, and 24-33 except for the absorption maximum of the photoacid used in Meerholz, 4-(thiophenoxyphenyl)diphenylsulfonium hexafluoro-antimonate. However, the Examiner assumes, based on the photoacid and radiation dose used in paragraph [0178] of Meerholz, that the irradiation in Meerholz is inherently performed at a wavelength outside the maximum absorption band of the photoacid used in Meerholz. Applicants respectfully disagree. Applicants have informed the undersigned that 4-(thiophenoxyphenyl)diphenylsulfonium compounds, independent of their counterions, exhibit an absorption maximum at a wavelength of 300 nm, as evidenced by the article filed concurrently herewith, titled "*Complex Triarylsulfonium Salt Photoinitiators. II. The Preparation of Several New Complex Triarylsulfonium Salts and the Influence of Their Structure in Photoinitiated Cationic Polymerization*" by Crivello et al. (Crivello).¹ In Meerholz, the irradiation is carried out at 302 nm, which is just outside the absorption maximum of 4-(thiophenoxyphenyl)diphenylsulfonium compounds. Paragraph [0178] of Meerholz. In contrast, the limitation "... wherein the irradiation is carried out outside the absorption band of the onium." recited in claim 1 is defined in the present specification as being carried out at a radiation wavelength wherein the absorbance is no more than 5 % of the maximum absorbance. It is unlikely that the absorbance of 4-(thiophenoxyphenyl)diphenylsulfonium hexafluoro-antimonate at 302 nm is 5 % or less than its maximum absorbance at 300 nm. Therefore, the Examiners assumption that this feature of the claims is inherently met is without basis. For at least this reason, Applicants submit that Meerholz fails to either explicitly or inherently teach each and every limitation of claims 1-9, 16, 18-22, and 24-33. Therefore, Applicants submit that Meerholz does not anticipate these claims and respectfully request withdrawal of this rejection.

¹ On page 2700 of Crivello, both 4-(thiophenoxyphenyl)diphenylsulfonium hexafluoro-arsenate (compound III) and 4-(thiophenoxyphenyl)diphenylsulfonium hexafluoro-phosphate both exhibit an absorption maximum at a wavelength of 300 nm.

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In view of the foregoing amendment and remarks, Applicants submit that the pending application is in condition for allowance.

Payment in the amount of \$130.00 to cover the fee required by 37 C.F.R. § 1.11(a)(1) for a one-month extension of time is submitted concurrently herewith. Should any other fees be required in connection with this Amendment, the Director is hereby authorized to charge any fees due or outstanding, including any extension fees, or credit any overpayment, to Deposit Account No. 03-2775, under Order No. 14113-00052-US, from which the undersigned is authorized to draw.

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Respectfully submitted,

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